

Remarks

The Office Action mailed October 4, 2006, and made final, has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-7, 9-21, and 23-50 are now pending in this application. Claims 8 and 22 have been canceled. Claims 1-50 stand rejected.

In accordance with 37 C.F.R. 1.136(a), a one month extension of time is submitted herewith to extend the due date of the response to the Office Action dated October 4, 2006, for the above-identified patent application from January 4, 2006, through and including February 4, 2006. In accordance with 37 C.F.R. 1.17(a)(1), authorization to charge a deposit account in the amount of \$120.00 to cover this extension of time request also is submitted herewith.

The rejection of Claims 1-50 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent 6,665,822 to Conway in view of U.S. Patent 6,256,666 to Singhal is respectfully traversed.

Conway describes networking equipment that is coupled to a mail server (column 5, lines 7-10). The networking equipment includes a fan, a networking server, a router, a backplane switch, an alarm card, and a power supply (column 5, lines 10-13). The components within the networking equipment are coupled together through the backplane switch (column 5, lines 14-16). A system management software resides within the networking server and functions to send an email message to the mail server upon detection of a problem with one or more of the components of the networking equipment (column 5, lines 22-26).

Applicants respectfully traverse the assertion on page 4 of the Office Action that Conway discloses an "e-mail server configured to store at least one e-mail message, e-mail server further configured to allow a user that is connected to the e-mail system through the network to perform at least one of read, modify, and delete the email message stored in the at least one mailbox (e.g. Figure 7)." Rather, Applicants submit that Conway merely describes

a plurality of steps taken by a FAMS to qualify a record of received data. Specifically, in Figure 7 (Column 7, line 54 to column 8, line 13), Conway describes receiving an email message (250), parsing the email message (252), and determining whether the parsed message is an initialization message (254). If the message is an initialization message, a record is created (260) and the FAMS is initiated. If the message is not an initialization message, a determination is made (256) whether an address of the parsed message is in a database. If the address is in the database, a determination is made (262) whether the record is qualified. If the address is not in the database, a search is conducted (258) for a unique physical address, the message is changed, and a determination is made as to whether or not the record is qualified (262). A disqualified record is a record that is disqualified because it introduces inaccuracies into the data. If the record is not qualified, the email message is discarded (264). Notably, the steps described in Figure 7 are taken by the FAMS upon receiving the email message to ensure an accuracy of data in the message. As such, Conway never describes, suggests, or mentions storing emails in a mailbox. Further, Conway never describes, suggests, or mentions granting at least one of a user and a device access to the stored emails, such that the user can read, modify, or delete the message.

Singhal describes a device having a low-capability display, such as a mobile phone, wherein the device is used to direct a software agent to process and deliver large or complex documents embedded inside an electronic mail document. With the device a user can delete attachments from server memory and remotely invoke a viewing application, control the applications behavior, and direct the applications output. For example, a user can direct the output to a local printer, initiate its transmission by fax, or initiate a screen reader program to deliver the message over a voice telephone call. Notably, Singhal does not describe a device that stores an email message, such that a user or a device can read, modify, or delete the email message. Rather, Singhal merely describes a device that enables a user to access an email containing an attachment that is stored on a server, direct software to output the attachment to a device, such as a printer, or direct the software to delete the attachment from the server.

Claim 1 recites an e-mail-enabled automation control module (ACM) system comprising “an ACM . . . an e-mail system electrically connected to said ACM that is configured to automatically control at least one device without user intervention and that is coupled to a backplane, said e-mail system configured to perform at least one of sending e-mail messages from said ACM through a network, and receiving e-mail messages from the network, said e-mail system comprises at least one mailbox configured to store at least one e-mail message, said e-mail system further configured to allow at least one of a user that is connected to said e-mail system through the network and the at least one device to perform at least one of read, modify, and delete the e-mail messages stored in said at least one mailbox.”

Conway does not describe nor suggest an e-mail-enabled automation control module (ACM) system as recited in Claim 1. More specifically, Conway does not describe nor suggest an e-mail-enabled ACM system including an e-mail system that includes at least one mailbox configured to store at least one e-mail message, wherein the e-mail system is configured to allow at least one of a user that is connected to the e-mail system through a network and at least one device to perform at least one of read, modify, and delete the e-mail messages stored in the at least one mailbox, as is recited in Claim 1. Rather, in contrast to the present invention, Conway merely describes a plurality of steps taken by a FAMS upon receiving an email message to ensure an accuracy of data in the message; and Singhal merely describes a device that enables a user to access an email containing an attachment that is stored on a server, direct software to output the attachment to a device, such as a printer, or direct the software to delete the attachment from the server.

For at least the reasons set forth above, Claim 1 is submitted to be patentable over Conway in view of Singhal.

Claim 8 has been canceled. Claims 2-7, 9-11 and 47-50 depend from independent Claim 1. When the recitations of Claims 2-7, 9-11 and 47-50 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 2-7, 9-11 and 47-50 likewise are patentable over Conway in view of Singhal.

Claim 12 recites a method for management and control of a first automation control module (ACM), the first ACM including an e-mail system electrically connected to the first ACM and a network, wherein the method comprises "sending e-mail messages from the first ACM through the network using the e-mail system . . . receiving e-mail messages from the network using the e-mail system . . . storing the email messages from the first ACM and the email messages from the network in at least one mailbox . . . requesting, by the first ACM, information via the e-mail system from a second ACM, wherein the first ACM automatically controls a device without user intervention and is coupled to a backplane . . . granting at least one of a user on the network and the device access to the at least one mailbox . . . allowing the user to perform at least one of read, modify, and delete the e-mail messages stored in the at least one mailbox."

Claim 12, as herein amended, recites a method for management and control of a first automation control module (ACM) that includes steps essentially similar to those performed by the system recited in Claim 1. Thus, it is submitted that Claim 12 is patentable over Conway in view of Singhal for at least the reasons set forth above with respect to Claim 1.

Accordingly, Claim 12 is submitted to be patentable over Conway in view of Singhal.

Claim 22 has been canceled. Claims 13-21 depend from independent Claim 12. When the recitations of Claims 13-21 are considered in combination with the recitations of Claim 12, Applicants submit that dependent Claims 13-21 likewise are patentable over Conway in view of Singhal.

Claim 23 recites a method for management and control of an automation control module (ACM) using an ACM system, the ACM system including a first ACM, a network, a general purpose computer electrically connected to the network, and an e-mail subsystem electrically connected to the first ACM and the network, wherein the method comprises "sending e-mail messages from the first ACM through the network to the general purpose computer using the e-mail subsystem . . . receiving e-mail messages from the general purpose computer through the network using the e-mail subsystem . . . storing the email messages from the first ACM and the email messages from the general purpose computer in at least one

mailbox . . . requesting information via the e-mail subsystem from a second ACM, wherein said requesting information is performed by the first ACM that is configured to automatically control at least one device without user intervention and that is coupled to a backplane . . . granting at least one of a user on the network and the at least one device access to the at least one mailbox . . . allowing the user to perform at least one of read, modify, and delete the e-mail messages stored in the at least one mailbox.”

Claim 23, as herein amended, recites a method for management and control of an automation control module (ACM) that includes steps essentially similar to those performed by the system recited in Claim 1. Thus, it is submitted that Claim 23 is patentable over Conway in view of Singhal for at least the reasons set forth above with respect to Claim 1.

Accordingly, Claim 23 is submitted to be patentable over Conway in view of Singhal.

Claims 24-32 depend from independent Claim 23. When the recitations of Claims 24-32 are considered in combination with the recitations of Claim 23, Applicants submit that dependent Claims 24-32 likewise are patentable over Conway in view of Singhal.

Claim 32 recites an automation control module (ACM) system comprising “an ACM . . . a network . . . a general purpose computer electrically connected to said network . . . an e-mail subsystem electrically connected to said network and said ACM, wherein said ACM is configured to automatically control at least one device without user intervention and is coupled to a backplane, said e-mail subsystem configured to perform at least one of sending e-mail messages from said ACM through said network to said general purpose computer and receiving e-mail messages from said general purpose computer through said network, said e-mail subsystem comprises at least one mailbox configured to store at least one e-mail message, said e-mail subsystem further configured to allow at least one of a user that is connected to said e-mail subsystem through the network and the at least one device to perform at least one of read, modify, and delete the e-mail messages stored in said at least one mailbox.”

Claim 32, as herein amended, recites an automation control module (ACM) system that includes elements essentially similar to those recited in Claim 1. Thus, it is submitted

that Claim 32 is patentable over Conway in view of Singhal for at least the reasons set forth above with respect to Claim 1.

Accordingly, Claim 32 is submitted to be patentable over Conway in view of Singhal.

Claims 33-46 depend from independent Claim 32. When the recitations of Claims 33-46 are considered in combination with the recitations of Claim 32, Applicants submit that dependent Claims 33-46 likewise are patentable over Conway in view of Singhal.

Moreover, Applicants respectfully submit that the Section 103 rejection of the presently pending claims is not a proper rejection. As is well established, obviousness cannot be established by combining the teachings of the cited art to produce the claimed invention, absent some teaching, suggestion, or incentive supporting the combination. Neither Conway nor Singhal, considered alone or in combination, describe or suggest the claimed combination. Furthermore, in contrast to the assertion within the Office Action, Applicants respectfully submit that it would not be obvious to one skilled in the art to combine Conway with Singhal because there is no motivation to combine the references suggested in the art. Additionally, the Examiner has not pointed to any prior art that teaches or suggests to combine the disclosures, other than Applicants' own teaching.

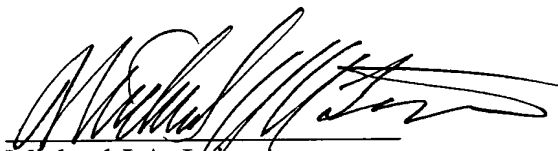
As the Federal Circuit has recognized, obviousness is not established merely by combining references having different individual elements of pending claims. Ex parte Levengood, 28 U.S.P.Q.2d 1300 (Bd. Pat. App. & Inter. 1993). MPEP 2143.01. Rather, there must be some suggestion, outside of Applicants' disclosure, in the prior art to combine such references, and a reasonable expectation of success must be both found in the prior art, and not based on Applicant's disclosure. In re Vaeck, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). In the present case, neither a suggestion or motivation to combine the prior art disclosures, nor any reasonable expectation of success has been shown.

Furthermore, it is impermissible to use the claimed invention as an instruction manual or "template" to piece together the teachings of the cited art so that the claimed invention is rendered obvious. Specifically, one cannot use hindsight reconstruction to pick and choose among isolated disclosures in the art to deprecate the claimed invention. Further, it is

impermissible to pick and choose from any one reference only so much of it as will support a given position, to the exclusion of other parts necessary to the full appreciation of what such reference fairly suggests to one of ordinary skill in the art. The present Section 103 rejection is based on a combination of teachings selected in an attempt to arrive at the claimed invention. Since there is no teaching nor suggestion in the cited art for the combination, the Section 103 rejection appears to be based on a hindsight reconstruction in which isolated disclosures have been picked and chosen in an attempt to deprecate the present invention. Of course, such a combination is impermissible, and for these reasons, along with the reasons given above, Applicants request that the Section 103 rejection of Claim 1-50 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Michael J.A. Leinauer', written over a horizontal line.

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